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## HOUSE OF THE PEOPLE

The following Bill was introduced in the House of the People on 26th March, 1954:—

BILL No. 45 OF 1953

*A Bill to provide relief to unemployed workers.*

Be it enacted by Parliament as follows:—

**1. Short title, extent and commencement.**—(1) This Act may be called the Unemployment Relief Act, 19 .

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force within six months from the date of its passing.

**2. Definitions.**—In this Act, unless the context otherwise requires,—

(a) “commercial establishment” means a bank, an insurance company or any office, shop, restaurant, hotel, theatre or any other factory or industrial undertaking not covered by the Factories Act, 1948 (LXIII of 1948);

(d) “dock” shall have the meaning assigned to it in the Indian Dock Labourers Act, 1934 (XIX of 1934);

(c) “employee” means a person, other than a worker, employed in any factory, railway, mine, plantation, transport services, dock, or in an industrial or commercial establishment;

(d) “factory” shall have the meaning assigned to it in the Factories Act, 1948 (LXIII of 1948);

(e) "industrial establishment" means a workshop or other establishment, in which articles are produced, adapted, repaired or manufactured with a view to their use, transport or sale and includes Government industrial undertakings and Government and private printing presses;

(f) "mine" shall have the meaning assigned to it in the Indian Mines Act, 1923 (IV of 1923);

(g) "plantation" shall have the meaning assigned to it in the Plantations Labour Act, 1951 (LXIX of 1951);

(h) "public services" means services under the Government, Central or State or of any local body or educational institution, including universities and hospitals and dispensaries;

(i) "railway" shall have the meaning assigned to it in the Indian Railways Act, 1890 (IX of 1890) and also includes privately-owned or privately-run railways;

(j) "transport services" include all transport services, whether by land, sea or air,

(k) "worker" means any person employed, directly or through any agency, whether for wages or not, in any factory, railway, mine, transport services, plantation, dock or in an industrial or commercial establishment.

**3. Registration and Relief Centres.**—The Government shall open employment exchanges and unemployed relief centres in every municipal town for the registration of the unemployed.

**4. Registration of the unemployed.**—(1) Any worker, or employee, man or woman, employed in any factory, mine, plantation, railway or transport service, dock, bank or insurance company or any commercial or industrial establishment or a public service shall have the right to get himself or herself registered at the nearest employment exchange and unemployed relief centre and shall be entitled to receive an unemployed registration card free of cost.

(2) Any man or woman above the age of sixteen years who, not having been previously employed, applies for a job to the employment exchange and unemployed relief centre and for whom employment is not secured for one month from the date of application of this Act shall also be entitled to receive an unemployment registration card.

**5. Claim of Unemployment Relief.**—(1) Any registered unemployed shall have the right to claim unemployment relief if he has been unemployed for a period of fifteen days continuously or a total of fifteen days during one calendar month.

(2) In the case of persons referred to in sub-section (2) of section 4, they shall be entitled to claim unemployment relief if they do not get employment for one month from the date of their registration.

**6. Verification.**—The employment exchange and unemployed relief centres shall verify the claim of the unemployment relief claimant within seven days through proper enquiry and shall inform the claimant of the result of the enquiry within three days of the completion of the enquiry.

**7. Appeal against the result of the enquiry.**—(1) If any registered unemployed is dissatisfied with the result of the enquiry in his case, he shall be entitled to ask for the reference of his claim to a Court of Appeal, which shall consist of one nominee each of the local trade union to which the unemployed claimant concerned belongs, the Government, and the Chairman or a representative of the Local Municipal Board.

(2) The decision of this Court of Appeal shall be binding on both the claimant and the Government.

**8. Receipt of relief.**—In case of claims being accepted by the Central Government or decreed by the Court of Appeal, the claimant shall be entitled to receive the amount due to him as relief within three days of the acceptance of his claim or the decree of the Court of Appeal and on the same date in subsequent months during the pendency of his accepted claim.

**9. Disqualification.**—Refusal of a job, carrying a lower wage and rates of dearness allowance and other allowances than what he was earning before being rendered unemployed or a job arising out of an industrial dispute or a job for which he is demonstrably unsuited or in which conditions of service are less favourable than in his usual employment, shall by no means disqualify any worker or employee from receipt of unemployment relief.

**10. Rate of relief.**—Every registered unemployed whose claim has been accepted or decreed by the Court of Appeal shall be entitled to receive relief at the following rates (with marginal adjustment):

(a) seventy five per cent. for those earning up to rupees sixty per month.

(b) sixty per cent. for those earning from rupees sixty-one to rupees hundred per month, and

(c) fifty per cent. for those earning from rupees hundred to rupees three hundred per month.

**11. Period of relief.**—A registered unemployed worker or employee shall be entitled to receive unemployment relief during the entire period of his unemployment and shall cease only on his being re-employed.

**12. Rule making power of the Government.**—The Government shall make rules and publish them in the Official Gazette to carry out the provisions of this Act.

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### STATEMENT OF OBJECTS AND REASONS

As a result of numerous closures of factories, mines, plantations, banks and other concerns and heavy retrenchment in public service, large scale increase in the number of unemployed has taken place in the country. Besides, there are large number of young men and women looking for jobs who are unable to find employment. This causes intense misery and sufferings to the unemployed and their dependents, leading to manifold social evils.

It is, therefore, felt that the Government must undertake the responsibility to provide relief to the unemployed and their families where it fails to secure for them suitable jobs on their being rendered unemployed.

A. K. GOPALAN.

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### FINANCIAL MEMORANDUM

According to the latest Press note issued by the Directorate General of Resettlement and Employment for the month of June 1953, the number of persons still on the register of employment exchanges in India still seeking employment assistance was 4,73,917.

Now it is well-known that only a small section of the unemployed actually get themselves registered at the exchanges. Hence, at a conservative estimate, the number of unemployed would be in the neighbourhood of 25 lakhs.

If the average benefit per unemployed as per our proposal, in clauses 8, 9, 10 and 11 of the Bill, is calculated at Rs. 50 per month, it would involve an expenditure of Rs. 12·5 crores per month and Rs. 150 crores per year.

M. N. KAUL,  
*Secretary.*